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**UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA**

SIERRA CLUB,)
)
 Plaintiff,)
 v.)
)
UNITED STATES DEPARTMENT)
OF AGRICULTURE, AND)
RURAL UTILITIES SERVICE,)
)
 Defendants.)

Case No. 3:08-cv-04248-SC

**STIPULATED REQUEST TO
 RESCHEDULE INITIAL CASE
 MANAGEMENT CONFERENCE FROM
 JANUARY 23, 2009 TO MAY 29, 2009**

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Whereas, this case involves several requests by Plaintiff, SIERRA CLUB, for records in the custody or control of Federal Defendants, U.S. DEPARTMENT OF AGRICULTURE and RURAL UTILITIES SERVICE, pursuant to the Freedom of Information Act;¹ and

Whereas, on December 12, 2008, Plaintiff and Federal Defendants agreed in a joint case management statement to a proposed schedule whereby Federal Defendants will use their best efforts to provide responsive records and a draft Vaughn Index or Indices for any withholdings by April 24, 2009; and

Whereas, Plaintiff and Federal Defendants have also proposed to file an updated case management statement with a new proposed schedule to resolve any outstanding issues in the case by April 30, 2009; and

¹ Intervenor Brazos notes its position that it denies that Plaintiff made the FOIA requests at issue.

Whereas, in light of this schedule, Plaintiff, Federal Defendants, and Intervenor-Defendant BRAZOS ELECTRIC (collectively the “Parties”), have conferred and agree that conducting the case management conference after an updated case management statement has been filed will narrow the issues that may need to be addressed at the conference and therefore will serve judicial efficiency; and

Whereas, the case management conference is currently scheduled for January 23, 2009; and

Whereas, the Court’s clerk has indicated that an appropriate date for the case management conference would be May 29, 2009 and this date is acceptable to the Parties;

IT IS HEREBY AGREED AND THE PARTIES STIPULATE, subject to the Court’s approval, that the initial case management conference be rescheduled for May 29, 2009.

Respectfully submitted,

/s/ William S. Eubanks II
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FROM JANUARY 23, 2009 TO MAY 29, 2009 - 3**

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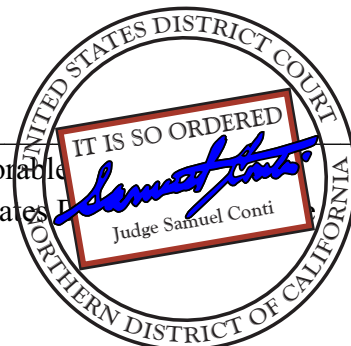
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Attorneys for Intervenor Brazos Electric

PURSUANT TO THIS STIPULATION, IT IS SO ORDERED:

Date: January 13, 2009

The Honorable
United States



**STIPULATED REQUEST TO RESCHEDULE
INITIAL CASE MANAGEMENT CONFERENCE
FROM JANUARY 23, 2009 TO MAY 29, 2009 - 4**